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8 ASETEK DANMARK A/S and
Counterdefendant ASETEK USA, INC.
9

10 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
11 **SAN FRANCISCO DIVISION**
12

13 ASETEK DANMARK A/S,
14 Plaintiff and
Counterdefendant,
15 ASETEK USA, INC.,
16 Counterdefendant,
17

18 v.

19 COOLIT SYSTEMS, INC.,
20 Defendant and
Counterclaimant,
21 COOLIT SYSTEMS USA INC., COOLIT
SYSTEMS ASIA PACIFIC LIMITED,
22 COOLIT SYSTEMS (SHENZHEN) CO.,
LTD.,
23 Defendants,
24 CORSAIR GAMING, INC. and CORSAIR
25 MEMORY, INC.,
26 Defendants.
27
28

CASE NO. 3:19-cv-00410-EMC

**DECLARATION OF JEFFREY D. SMYTH
IN SUPPORT OF THE PARTIES' JOINT
ADMINISTRATIVE MOTION FOR FILING
UNDER SEAL**

1 I, Jeffrey D. Smyth, declare as follows:

2 1. I am an attorney licensed to practice before this Court and all courts of the State of
3 California and am a Partner with Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, counsel of
4 record for Asetek Danmark A/S (“Asetek”) in the above-entitled action. I submit this declaration in
5 support of the parties’ Joint Administrative Motion for Filing Under Seal. The matters stated herein
6 are based upon my personal knowledge, and, if called as a witness, I would testify as to the
7 following statements.

8 2. I have reviewed the Court’s Order Granting in Part and Denying in Part Parties’
9 Motions in Limine and Motions to Strike (Dkt. 497). The parties have submitted a highlighted
10 version of this order with their joint administrative motion to seal. The highlighted portions of the
11 order contain highly sensitive and confidential financial information pertaining to sales of the Asetek
12 products accused of infringement in this matter, which I believe would cause Asetek competitive
13 harm if disclosed to a competitor or the general public, who could use the disclosed information to
14 Asetek’s detriment. Accordingly, Asetek requests that the highlighted information be filed under
15 seal.

16 By my signature below, I declare under penalty of perjury under the laws of the United States
17 that the foregoing is true and correct.

18
19
20 Date: September 17, 2022

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP

21
22 By: /s/ Jeffrey D. Smyth

Jeffrey D. Smyth
Attorneys for Plaintiff and Counterdefendant
ASETEK DANMARK A/S S and
Counterdefendant ASETEK USA, INC.